

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) Case No. 4:22-00016-CR-RK
)
)
MICHAEL W SYLVARA,)
)
)
Defendant.)

ORDER

On February 27, 2023, Magistrate Judge Lajuana M. Counts issued her Report and Recommendation (Doc. 126) concluding that the Court should deny Defendant's motion to dismiss Count Two (Doc. 109). Defendant filed an objection to the Report. (Doc. 137.)

After an independent review of the matter pursuant to 28 U.S.C. § 636(b)(1)(C), the Court accepts the findings and recommendation made by Magistrate Judge Counts in full. Accordingly, it is hereby

ORDERED that the Report and Recommendation of Magistrate Judge Counts (Doc. 126) is **ADOPTED**. It is further

ORDERED that Defendant's objection (Doc. 137) is **OVERRULED**. It is further

ORDERED that Defendant Michael Sylvara's motion to dismiss Count Two (Doc. 109) is **DENIED**.

IT IS SO ORDERED.

s/ Roseann A. Ketchmark
ROSEANN A. KETCHMARK, JUDGE
UNITED STATES DISTRICT COURT

DATED: March 14, 2023